

1 NOSSAMAN LLP  
Robert S. McWhorter (CA226186)  
2 rmcwhorter@nossaman.com  
Katie E. Briscoe (CA 287629)  
3 kbriscoe@nossaman.com  
621 Capitol Mall, 25th Floor  
4 Sacramento, CA 95814  
Telephone: 916.442.8888  
5 Facsimile: 916.442.0382

6 Attorneys for Creditor  
7 TONY'S FINE FOODS

8  
9 UNITED STATES BANKRUPTCY COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
12

13 In re:  
14 MI PUEBLO SAN JOSE, INC.  
15  
16 Debtor.

Case No: 13-53893-ASW  
Chapter 11

17  
18 **NOTICE OF APPEARANCE OF COUNSEL**  
19 **AND DEMAND FOR NOTICES AND PAPERS**

20 PLEASE TAKE NOTICE that the undersigned firm of Nossaman LLP hereby enters an  
21 appearance on behalf of **Tony's Fine Foods** in the above-referenced proceedings, pursuant to  
22 section 1109(b) of title 11 of the United States Code (the "Bankruptcy Code") and Rule 9010(b)  
23 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"); such counsel hereby  
24 request, pursuant to Bankruptcy Rules 2002, 3017 and 9007 and sections 342 and 1109(b) of the  
25 Bankruptcy Code, that copies of all notices and pleadings given or filed in the above-captioned

26 ///

27 ///

1 case be given and served upon the following persons at the following addresses, telephone and  
2 facsimile numbers:

3 Robert S. McWhorter, Esq.  
4 Katie E. Briscoe, Esq.  
5 NOSSAMAN LLP  
6 621 Capitol Mall, 25th Floor  
7 Sacramento, CA 95814  
8 Telephone: (916) 442-8888  
9 Facsimile: (916) 442-0382  
10 Email: rmcwhorter@nossaman.com  
11 kbriscoe@nossaman.com

12 Please take further notice that pursuant to section 1109(b) of the Bankruptcy Code, the  
13 foregoing demand includes not only the notices and papers referred to in the Bankruptcy Rules  
14 and sections of the Bankruptcy Code specified above, but also includes, without limitation, any  
15 notice, application, complaint, demand, motion, petition, pleading or request, whether formal or  
16 informal, written or oral, and whether transmitted or conveyed by mail, delivery, telephone,  
17 telegraph, telex or otherwise filed or made with regard to the above-captioned cases and  
18 proceedings therein.

19 This Notice of Appearance and Demand for Notices and Papers shall not be deemed or  
20 construed to be a waiver of (a) **Tony's Fine Foods'** rights (i) to have final orders in non-core  
21 matters entered only after de novo review by a District Judge, (ii) to trial by jury in any  
22 proceeding so triable in these cases or in any case, controversy, or proceeding related to these  
23 cases, and (iii) to have the District Court withdraw the reference in any matter subject to  
24 mandatory or discretionary withdrawal, or (b) any other rights, claims, actions, setoffs, or  
25 recoupments to which **Tony's Fine Foods** is or may be entitled, in law or in equity, all of which  
26 rights, claims, actions, defenses, setoffs, and recoupments **Tony's Fine Foods** expressly reserves.

27 Dated: July 26, 2013

NOSSAMAN LLP

28 By: /s/ Robert S. McWhorter  
Robert S. McWhorter

Attorneys for Creditor  
TONY'S FINE FOODS